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Make it Make Sense: Explaining a Victim's Counterintuitive Behavior

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Trauma-Informed Prosecution

1. Explaining a Victim's counterintuitive Behavior
 - a. Definitions
2. Objectives
 - a. Understand the impact of trauma on victims of crime
 - b. Strategies for incorporating a trauma informed approach into a case prosecution
3. Understanding Trauma
 - a. Definition of trauma
 - i. Psychological impacts
 - ii. Physiological effects
 - b. Types of trauma:
4. The Neurobiology of Trauma
 - a. Anatomy of the brain
 - b. The impact of trauma on the brain
5. General Effects of Trauma
 - a. Immediate Term:
 - b. Longer Term
6. The Impact of Trauma on Victims
 - a. Physical
 - b. Behavioral
 - c. Memory
 - d. Emotions
7. Trauma Informed Prosecution
 - a. Realistic Expectations
 - b. Victim Credibility
8. Trauma-informed Care for Victims
 - a. Safety
 - b. Trustworthiness
 - c. Choice
 - d. Collaboration
 - e. Empowerment
9. Trauma Informed Prosecution (Cont.)
 - a. Name It
 - b. Frame It
 - c. Claim It

10. Trauma Informed Prosecution

- a. Understand your victim
- b. Identify Counterintuitive Behaviors
- c. Non Intimate Partner Violence-cases
- d. The Process of Disclosure
- e. Tell your victim's story
 - i. Theme/Theory
 - ii. Voir Dire
- f. Create a plan for the victim in court
- g. What legal issues will arise?
 - i. Pretrial motions
 - ii. Motions in Limine
- h. Using Expert Witnesses
- i. Possible Experts
 - i. Law Enforcement
 - ii. Victims' advocates
 - iii. Mental health professionals

11. Using evidence of trauma to prove your case

- a. Defense tactics

12. References:

- a. Campbell, Rebecca "The Neurobiology of Sexual Assault: Implications for Law Enforcement, Prosecution, and Victim Advocacy" National Institute of Justice,
<https://nij.ojp.gov/media/video/24056> (Captured 3/2/2020)
- b. The Neurobiology of Trauma: webinar series Rebecca Campbell, P.H. D (Captured 2/17/2020
<https://sakitta.org/toolkit/index.cfm?fuseaction=tool&tool=48>
- c. Ratanayake, Ann A. "*She Didn't Scream So She Must Have Wanted It: Explaining Counterintuitive Victim Behavior*," The National Center for Prosecution of Violence Against Women, Volume 4, Number 3, July 2016.
https://www.academia.edu/28482404/She_Didn_t_Scream_So_She_Must_Have_Wanted_It_Explaining_Counterintuitive_Victim_Behavior (Captured Jan. 17, 2020).
- d. Viktoria Kristiansson (former Attorney Advisor, AEquitas) and Charlene Whitman-Barr (Senior Associate Attorney, AEquitas), "*Integrating a Trauma-Informed Response in Violence Against Women and Human Trafficking Prosecutions*" Aequitas Strategies Newsletter, Issue 13, February 2015.